

# Senate Study Bill 3126

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
EDUCATION BILL BY  
CO=CHAIRPERSON CONNOLLY)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act requiring school districts to adopt and annually review  
2 policies prohibiting bullying and harassment.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 6424XK 81  
5 kh/je/5

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1 1 Section 1. NEW SECTION. 279.43 FINDINGS == PUBLIC POLICY  
1 2 == ANTIBULLYING AND ANTIHARASSMENT POLICIES.  
1 3 1. The general assembly finds the following:  
1 4 a. A safe and civil environment in school is necessary for  
1 5 students to learn and achieve at high academic standards.  
1 6 b. Bullying and harassment is conduct that impairs a  
1 7 student's ability to learn and a school's ability to educate  
1 8 and shall not be tolerated.  
1 9 c. Bullying and harassment may be distinguished from other  
1 10 unacceptable forms of aggression in that they involve  
1 11 dominance of one student over another, or a group of others,  
1 12 and can be found in physical, verbal, or silent behaviors,  
1 13 such as pushing, hitting, kicking, rude gestures, name  
1 14 calling, teasing, exclusion, and isolation.  
1 15 d. Adults must be vigilant and respond to evidence of  
1 16 bullying or harassing behavior. Adult responses to bullying  
1 17 and harassment send an important message to the bully or  
1 18 harasser and the victim.  
1 19 2. The legislature declares that it is the public policy  
1 20 of this state to advocate for the general welfare of the  
1 21 children of this state by requiring that administrators,  
1 22 faculty, staff, and volunteers working in schools demonstrate  
1 23 appropriate behavior, treat others with civility and respect,  
1 24 and refuse to tolerate the bullying and harassment of students  
1 25 by anyone.  
1 26 3. The board of directors of each school district shall  
1 27 adopt and implement a policy prohibiting bullying and  
1 28 harassment of all students. The policy shall be developed,  
1 29 and annually reviewed, with input from parents, guardians,  
1 30 school employees, volunteers, students, school administrators,  
1 31 and other members of the community. The policy shall, at a  
1 32 minimum, include or provide for all of the following:  
1 33 a. A definition of bullying and harassment which shall be  
1 34 construed to mean any conduct toward a student that is based  
1 35 on any real or perceived characteristic, including, but not  
2 1 limited to, age, color, creed, national origin, race,  
2 2 religion, marital status, sex, sexual orientation, gender  
2 3 identity, physical attributes, physical or mental ability or  
2 4 disability, ancestry, political party preference,  
2 5 socioeconomic status, or familial status, and that creates an  
2 6 objectively hostile school environment which meets any of the  
2 7 following conditions:  
2 8 (1) Places the student in reasonable fear of harm to the  
2 9 student's person or property.  
2 10 (2) Has a substantially detrimental effect on the  
2 11 student's physical or mental health.  
2 12 (3) Has the effect of substantially interfering with a  
2 13 student's academic performance.  
2 14 (4) Has the effect of substantially interfering with the  
2 15 student's ability to participate in or benefit from the  
2 16 services, activities, or privileges provided by a school.

2 17 b. Effective prevention strategies and professional  
2 18 development for teachers and administrators.  
2 19 c. Monitoring and evaluation of the policy's effectiveness  
2 20 on an annual basis and inclusion in the comprehensive school  
2 21 improvement plan filed with the department of education in  
2 22 accordance with section 256.7, subsection 21.  
2 23 d. Procedures for receiving and responding to complaints.  
2 24 e. Consequences and appropriate remedial action for  
2 25 violation of the policy, taking into account the pattern and  
2 26 severity of particular bullying and harassing behavior.  
2 27 f. Public notice of the policy.  
2 28 g. Prohibition of reprisals or retaliation against any  
2 29 person who cooperates or assists in the investigation of  
2 30 bullying or harassing behavior.  
2 31 4. Each school board shall develop procedures necessary to  
2 32 implement and administer this section.

2 33 EXPLANATION

2 34 This bill states the general assembly's findings related to  
2 35 the bullying and harassment of Iowa's students. The general  
3 1 assembly, as provided in the bill, declares that it is the  
3 2 public policy of this state to advocate for the general  
3 3 welfare of children by requiring that school staff and  
3 4 volunteers demonstrate appropriate behavior and refuse to  
3 5 tolerate the bullying and harassment of students by anyone.  
3 6 The bill further requires school boards to adopt and annually  
3 7 review a policy prohibiting bullying and harassment of all  
3 8 students.  
3 9 The school district's policy must be developed and annually  
3 10 reviewed with the participation of parents, guardians, school  
3 11 employees, volunteers, students, and other members of the  
3 12 community. The policy must include or provide for a  
3 13 definition of bullying and harassment which includes criteria  
3 14 set forth in the bill, effective prevention strategies,  
3 15 monitoring and evaluation of the policy's effectiveness,  
3 16 procedures for receiving and responding to complaints,  
3 17 consequences and remedial action, public notice of the policy,  
3 18 and a prohibition of reprisals or retaliation against anyone  
3 19 who cooperates or assists in the investigation of bullying or  
3 20 harassing behavior. The bill may include a state mandate as  
3 21 defined in Code section 25B.3.

3 22 LSB 6424XK 81

3 23 kh:nh/je/5